

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/4/2022

GEORGIA M. PESTANA
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

Special Assistant Corporation Counsel
Cell: (917) 499-8632

January 3, 2022

VIA ECF

Hon. Analisa Torres
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007

Re: *M.Z. v. New York City Dep't of Educ.*, 21-cv-9451 (AT)(JLC)

Dear Judge Torres:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request a i) 30-day extension of Defendant's time to respond to the complaint, from January 6, 2022 to February 5, 2022, and a ii) 30-day extension of the parties' deadline to submit a joint status letter, proposed case management plan/scheduling order ("CMP/SO") and inform the Court if the parties consent to proceed before a magistrate, from January 14, 2022 to February 13, 2022. Plaintiff consents to this extension.

This is the second request for an extension of the time to answer and the first request for an extension of the deadline to submit a joint status letter and CMP/SO and inform the Court if the parties consent to proceeding before a magistrate. The first request (for a 90-day extension of the answer deadline) was made on November 30, 2021; a 30-day extension of the answer deadline was granted on December 2, 2021. The requested extension would provide Defendant with sufficient time to receive settlement authority from the New York City Comptroller and make an initial settlement offer to Plaintiff. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests that its time to respond to the complaint be extended to February 5, 2022, and the parties' time to submit a joint status letter and CMP/SO,

and inform the Court if the parties agree to proceeding before a magistrate, be extended to February 13, 2022.

Thank you for considering this request.

Respectfully submitted,

/s/

Martha Nimmer, Esq.
Special Assistant Corporation Counsel

GRANTED.

SO ORDERED.

Dated: January 4, 2022
New York, New York



ANALISA TORRES
United States District Judge